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H.R. 4258 — Family Self-Sufficiency Act (Rep. Duffy, R-WI)

CONTACT: Matt Dickerson, 202-226-9718

FLOOR SCHEDULE:

January 16, 2018 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

<u>H.R. 4258</u> would made modifications to the Department of Housing and Urban Development (HUD) <u>Family Self-Sufficiency (FSS)</u> program.

COST:

The <u>Congressional Budget Office</u> (CBO) estimates that enacting "H.R. 4258 would cost \$13 million over the 2018-2022 period, assuming appropriation of the necessary amounts."

CONSERVATIVE CONCERNS:

- Expand the Size and Scope of the Federal Government? No.
- **Encroach into State or Local Authority?** Some conservatives believe that housing programs are more appropriately handled by state and local governments, or by civil society.
- Delegate Any Legislative Authority to the Executive Branch? No.
- Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits? No.

DETAILED SUMMARY AND ANALYSIS:

The Department of Housing and Urban Development (HUD) <u>Family Self-Sufficiency (FSS)</u> program provides incentives for recipients of housing benefits to move off of welfare and into self-sufficiency.

Participants in the program sign a contract agreeing that the head of the household will seek and maintain employment and that all members of the household will be welfare-free for the twelve months prior to the end of the contract, along with specific action steps needed to meet these goals along the way. In return, increases in rent that are due to increases in income are deposited into an interest bearing escrow account which can be accessed by the family once the terms of the contract are completed. The program is administered by local public housing authorities and is available to Public Housing residents, Housing Choice Voucher (HCV) program participants, residents of NAHASDA-assisted housing, and residents of project-based rental assistance (PBRA) projects.

H.R. 4258 would include eligibility for PBRA residents into the permanent FSS program; under current law, PBRA resident are only eligible through 2018.

The bill would require public housing agencies to continue operating FSS programs for at least the number of families that the agency was required to serve as of the date of enactment of the bill. The required number of families would be reduced by an amount equal to the number of families that fulfil their obligations under the contract of participation after October 21, 1998. The bill would require the HUD Secretary to provide an exemption from the requirement to carry out a program if requested by a local housing agency and the Secretary determines that implementation is not feasible due to local circumstances.

The bill would prohibit the termination of housing assistance as a consequence for failure to comply with the terms of a FSS contract or for successful completion of the program. Under current law, contracts were

required to provide that the public housing agency could terminate Section 8 housing assistance if it determined the family has failed to comply with the requirements of the contract without good cause and after an administrative grievance procedure.

The bill would add attainment of a high school equivalency certificate, education in pursuit of a post-secondary degree or certification, financial literacy, and homeownership education and assistance to the list supportive services that public housing agencies are required to help coordinate for FSS participants.

The bill would require one member of the household to "seek and maintain suitable employment" as a condition of the contract of participation.

The bill would provide that the amounts in escrow accounts that are forfeited due to families not completing their contracts shall be used by public housing agencies for the benefit of participating families in good standing.

The bill would allow HUD to reserve up to five percent of FSS funds to award innovation and high performing programs.

The bill requires HUD to issue regulations implementing the bill within one year.

The Committee Report for H.R. 4258 can be found here.

COMMITTEE ACTION:

H.R. 4258 was introduced on November 6, 2017, and referred to the Committee on Financial Services. The Committee marked up and reported the bill on November 14, 2017, by a 58 – 0 vote.

The Committee held a hearing titled Overview of the Family Self-Sufficiency Program on September 27, 2017.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

"Congress has the power to enact this legislation pursuant to the following: Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce)."



H.R. 770 — American Innovation \$1 Coin Act (Rep. Himes, D-CT)

CONTACT: Matt Dickerson, 202-226-9718

FLOOR SCHEDULE:

January 16, 2018 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

<u>H.R. 770</u> would require the Treasury to design and release a series of "American Innovation \$1 coins" honoring innovators and inventions from each state and territory.

COST:

No Congressional Budget Office (CBO) estimate is available.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- Encroach into State or Local Authority? No.
- Delegate Any Legislative Authority to the Executive Branch? No.
- Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits? No.

DETAILED SUMMARY AND ANALYSIS:

H.R. 770 would require the Treasury to design and release a series of "American Innovation \$1 coins" honoring innovators and inventions from each state and territory.

Each coin would include:

- The Statue of Liberty,
- "In God We Trust",
- An image from each state, territory, and the District of Columbia depicting a significant innovation, innovator, or group of innovators, and
- 'E Pluribus Unum" inscribed on the edge.

Designs for each coin would be decided by the Secretary of the Treasury in consultation with the Governor of the respective state. The bill would prohibit the portrait of any living person to be included in the design and would prohibit the "head and shoulders portrait" of any person.

Beginning on January 1, 2019, and for the following 14 years, the Treasury would mint and issue four coins each year in alphabetical order of the names of the states and territories.

If the Secretary finds that it is feasible and cost effective, the Secretary may mint and issue the first coin in 2018 depicting the signature of President Washington on the first patent issued.

The bill would require the Treasury to continue minting \$1 coins honoring Native Americans.

COMMITTEE ACTION:

H.R. 770 was introduced on January 31, 2017, and referred to the Committee on Financial Services. The Committee took no further action on the bill.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

"Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8, Clause 5: "To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;".

H.R. 4279 — Expanding Investment Opportunities Act (Rep. Hollingsworth, R-KY)

CONTACT: Matt Dickerson, 202-226-9718

FLOOR SCHEDULE:

January 16, 2018 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

H.R. 4279 would allow closed end companies to be considered "well-known seasoned issuers".

COST:

No Congressional Budget Office (CBO) estimate is available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- Encroach into State or Local Authority? No.
- Delegate Any Legislative Authority to the Executive Branch? No.
- Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits? No.

DETAILED SUMMARY AND ANALYSIS:

H.R. 4279 would require the Securities and Exchange Commission (SEC) to propose to allow a <u>closed end company</u> that is registered as an investment company and is listed on a national securities exchange or makes periodic repurchase offers to use the securities offering and proxy rules that are available to other issuers that file reports under Sections 13 or 15(d) of the Securities and Exchange Act.

The bill would require the rules to be proposed within 180 days after enactment and the rules to be finalized within one year.

If the SEC fails to finalize the rules, any closed end company that is listed on a national securities exchange or makes periodic repurchase offers shall be deemed to be an eligible issuer under the SEC's "Securities Offering Reform" rule.

According to the <u>Financial Services Committee</u>, this would "[simplify] the registration process and [enable] these funds to more easily provide information to investors."

OUTSIDE GROUP SUPPORT:

• Investment Company Institute

COMMITTEE ACTION:

H.R. 4279 was introduced on November 7, 2017, and referred to the Committee on Financial Services. The Committee marked up and reported the bill on November 14, 2017, by a 58 – 2 vote.

The Committee held a <u>hearing</u> on the bill on November 3, 2017.



ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

"Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8, Clause 18".

H.R. 4318 — Miscellaneous Tariff Bill Act (Rep. Brady, R-TX)

CONTACT: Nicholas Rodman, 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on January 16, 2018, under suspension of the rules, which requires a 2/3 vote for passage.

TOPLINE SUMMARY:

H.R. 4318 would reauthorize the Miscellaneous Tariff Bill (MTB) which would suspend or lower import tariffs on specific commodities or goods imported into the United States.

COST:

No Congressional Budget Office (CBO) estimate is available.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

CONSERVATIVE CONCERNS:

- Expand the Size and Scope of the Federal Government? No, the bill would reduce or suspend government-imposed import tariffs that increase the costs of goods for American families, workers, and businesses.
- Encroach into State or Local Authority? No.
- Delegate Any Legislative Authority to the Executive Branch? No.
- Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits? No, the bill was developed under the process established to comply with the earmark ban where the International Trade Commission reviewed petitions for tariff reduction and made recommendations to Congress.

DETAILED SUMMARY AND ANALYSIS:

H.R. 4318 would amend the <u>Harmonized Tariff Schedule of the United States</u> by reducing or suspending tariffs on various goods being imported into the United States. Based off of the <u>American Manufacturing Competitiveness Act of 2016</u> passed in the 114th Congress, which established a process for U.S. businesses to submit petitions for consideration to suspend or reduce duties directly to the U.S. International Trade Commission (ITC); the ITC then submitted <u>recommendations</u> to Congress from those petitions.

H.R. 4318 would include tariff reductions or suspensions on various goods including: agricultural goods, consumer products, certain chemicals, and other various electronic devices.

The bill would extend the authorized collection of Customs User Fees from January 14, 2026, to April 22, 2026.

Information from the Ways and Means Committee hearing on the Miscellaneous Tariff Bill can be found here and here.

OUTSIDE GROUPS:

In support:

- National Taxpayers Union
- National Association of Manufacturers



• Coalition letter signed by 190 manufacturing companies

COMMITTEE ACTION:

H.R. 4318 was introduced on November 9, 2017, and was referred to the House Committee on Ways and Means.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

According to the sponsor: "Congress has the power to enact this legislation pursuant to the following: U.S. Constitution Article I, Section 8, Clause 1 and 3 "The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States...;" and "To regulate commerce with foreign nations, and among the several states, and with the Indian tribes..."



H.R.1107 — Pershing County Economic Development and Conservation Act (Rep. Amodei, R-NV)

CONTACT: Noelani Bonifacio, 202-226-9719

FLOOR SCHEDULE:

Expected to be considered January 16, 2017, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

<u>H.R. 1107</u> would consolidate land in Pershing County, Nevada, through exchange and sale, convey land for mining, transfer the Unionville Cemetery to the county, create 136,072 acres of wilderness area, and release 48,600 acres of wilderness study area.

COST:

The Congressional Budget Office (CBO) <u>estimates</u> that enacting H.R. 1107 would cost \$ 1 million in 2019, subject to appropriation. Since the bill would affect direct spending, pay-as-you-go would apply, but CBO estimates the net effect to be negligible.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- Encroach into State or Local Authority? Certain mandatory spending provided by the bill would solely be for the benefit of Pershing County, Nevada, with other funding being directed for Nevada's general education program.
- **Delegate Any Legislative Authority to the Executive Branch?** Yes, the bill would allow the Secretary of the Interior to spend certain funds derived from the sale of federal land mandated by the bill without further appropriation or oversight by Congress. According to CBO, the amount of this direct spending would be "insignificant".
- Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits? No.

DETAILED SUMMARY AND ANALYSIS:

Seventy-five percent of the land in Pershing County, Nevada is <u>federally owned</u>, including over 300,000 acres that have been identified for disposal under the BLM's Winnemucca District Resource Management Plan. Much of this is "<u>checkerboard</u>" land, where every other square mile is federally owned.

Title I

H.R. 1107 would require the Secretary of the Interior, in cooperation with Pershing County, Nevada, to conduct sales or exchanges of Bureau of Land Management (BLM) land designated for disposal within the Winnemucca Consolidated Resource Plan. The land must be selected by the secretary and the county. The land must be sold through a competitive bidding process with adjoining landowners offered the first option to purchase or exchanged acre-for-acre for private land that is located within a management priority area. Management priority areas are to be identified as such by the secretary if the land: (1) contains a greater sage-grouse habitat; (2) is part of a wildlife corridor or designated critical habitat; (3) has value for outdoor recreation; (4) is of significant cultural or historical value; (5) is of value in improving federal land management.

The bill requires a mass appraisal of the land within 1 year of enactment and every 5 years thereafter. The appraisal is to determine whether any of the parcels are valued at over \$500 per acre. Parcels valued at over \$500 an acre may not be exchanged acre-for-acre and must be sold.

The total acreage of land to be sold may not exceed 150,000 acres.

The proceeds from the sales of land must be distributed as follows:

- 5% to the State of Nevada to be used in Nevada's general education program
- 10% to Pershing County
- The remaining 85% to be deposited into a Pershing County Special Account to reimburse the Department of the Interior for the costs of surveys, and National Environmental Policy Act (NEPA) reviews and for the secretary to conduct wildlife habitat conservation projects, the acquisition of environmentally sensitive land and projects that secure public access for outdoor recreation or address drought conditions. The secretary is authorized to expend the funds in accordance with these purposes. The secretary must submit a report every 5 years on deposits and expenditures of the account, as well as recommendations for additional authorities to fulfil the purpose of the account. Many conservatives <a href="https://doi.org/10.1007/journal.org

Title II

H.R. 1107 would require the secretary to sell at fair market value the United States' mining claims in 100,000 acres in Pershing County. Those who would like to purchase the land must own or lease mining claims, millsites or tunnel sites on a portion of the land to be sold or be a successor to the interest of an owner and has the owner's consent to acquire the land. The secretary must conduct an appraisal to determine fair market value, the costs of which are to be paid by the buyer. The buyer must also pay for the costs of surveys, conveyance and administrative costs. The funds from the sales are to be distributed in the same manner as detailed above.

According to CBO, "Each year since 1994, the Congress has included provisions in annual appropriations acts that prohibit BLM from accepting or processing applications for mineral patents."

The bill also conveys Unionville Cemetery, a parcel of about 10 acres, to Pershing County, to be used as a public cemetery.

Title III

The bill also designates the following parcels of BLM land as respective wildernesses:

Cain Mountain Wilderness: 12,339Bluewing Wilderness: 24,900

• Selenite Peak Wilderness: 22,822 acres

Mount Limbo: 11,855 acres

North Sahwave Wilderness: 13, 875 acres
Grandfathers' Wilderness: 35,339 acres
Fencemaker Wilderness: 14,942 acres

The wildernesses are withdrawn from entry, appropriation and disposal under public land laws, location, entry and patent under mining laws, and disposition under all mineral and geothermal leasing laws.

After the wilderness designation, livestock may continue to graze in the areas if previously established. In addition, the bill does not restrict military overflights in the wilderness areas. The secretary is allowed to conduct activities as necessary for the control of fire, insects and disease and may also authorize the installation and maintenance of climatological data collection devices.

The bill requires the secretary to follow state law to obtain and hold water rights that are not already in existence. The bill also prohibits the federal government from issuing licenses for new water resource facilities within the wildernesses.

The bill allows for the placement of a temporary (less than 7 years) telecommunications device within the Selenite Peak Wilderness.

The secretary is authorized to conduct activities to maintain or restore fish and wildlife populations and their habitats, as consistent with relevant management plans. The secretary must also authorize structures for wildlife water development projects and establish areas and periods when hunting is prohibited within the wilderness areas.

The bill releases 48,600 acres of public land in the China Mountain, Mt. Limbo, Selenite Mountains, and Tobin wilderness study areas and a portion of the Augusta Mountains wilderness study area that have not been designated wilderness areas by this bill.

The bill does not affect treaty rights of Indian tribes.

The House Report (HR-115-336) accompanying H.R. 1107 can be found here. A background memo from the Committee on Natural Resources can be found here.

COMMITTEE ACTION:

H.R. 1107 was introduced on February 16, 2017, and referred to the House Committee on Natural Resources. A mark-up was held and the bill was reported by unanimous consent on <u>June 27, 2017</u>.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution". This clause relates to the establishment of the military, and is not related to the power to make needful rules and regulations respecting the territory or other property belonging to the Unites States found in Article IV.

H.R.1532 — Poarch Band of Creek Indians Land Reaffirmation Act (Rep. Byrne, R-AL)

CONTACT: Noelani Bonifacio, 202-226-9719

FLOOR SCHEDULE:

Expected to be considered January 16, 2017, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

<u>H.R.</u> 1532 would reaffirm and ratify the 390 acres of land taken into trust for the Poarch Band of Creek Indians.

COST:

The Congressional Budget Office (CBO) <u>estimates</u> that enacting H.R. 1532 would have no significant impact on the federal budget.

CONSERVATIVE CONCERNS:

- Expand the Size and Scope of the Federal Government? No.
- Encroach into State or Local Authority? No.
- Delegate Any Legislative Authority to the Executive Branch? No.
- Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits? No.

DETAILED SUMMARY AND ANALYSIS:

H.R. 1532 reaffirms and ratifies the 390 acres of land taken into trust for the Poarch Band of Creek Indians. The bill applies to all pending claims.

In 2009, the Supreme Court decided in *Carcieri v. Salazar* that the Secretary of the Interior may only use the trust land provisions of the Indian Reorganization Act for the benefit of Indian tribes that were already under federal jurisdiction as of the Indian Reorganization Act's enactment in 1934. The Poarch Band of Indians were not recognized until after 1934, which could lead to a court finding that the tribe does not lawfully hold its land in trust. The trust land is already developed and includes a casino. Should a court find the tribe does not lawfully hold the land in trust, the tribe could be subject to state laws and could be taxed, or be forced to modify or remove the casino and other businesses.

The House Report (HR-115-513) accompanying H.R. 1532 can be found here.

COMMITTEE ACTION:

H.R. 1107 was introduced on February 16, 2017, and referred to the House Committee on Natural Resources. A mark-up was held and the bill was reported by unanimous consent on June 27, 2017.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: This bill is enacted pursuant to Article I, Section 8 which grants Congress the power to regulate Commerce with the Indian Tribes. This bill is enacted pursuant to Article II, Section 2, Clause 2 in order the enforce treaties made between the United States and several Indian Tribes."

S. 117 — Alex Diekmann Peak Designation Act of 2017 (Rep. Daines, R-MT)

CONTACT: Noelani Bonifacio, 202-226-9719

FLOOR SCHEDULE:

Expected to be considered January 16, 2017, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

S. 117 would designate the Alex Diekman Peak in Lee Metcalf Wilderness.

COST:

The Congressional Budget Office (CBO) <u>estimates</u> that enacting S. 117 would have no significant impact on the federal budget.

CONSERVATIVE CONCERNS:

- Expand the Size and Scope of the Federal Government? No.
- Encroach into State or Local Authority? No.
- Delegate Any Legislative Authority to the Executive Branch? No.
- Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits? No.

DETAILED SUMMARY AND ANALYSIS:

S. 117 would designate the Alex Diekman Peak in Lee Metcalf Wilderness.

According to the committee <u>report</u>, Alex Diekman passed away from cancer in 2016 after a career dedicated to protecting outdoor areas in Montana, Wyoming, and Idaho.

The Senate Report (Rept. 115-94) accompanying S. 117can be found here.

COMMITTEE ACTION:

S. 117 was introduced on January 12, 2017, and passed the Senate by unanimous consent on December 20, 2017. The bill was received in the House and referred to the House Committee on Natural Resources.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

A constitutional authority statement is not required for bills that originate in the Senate.

H.R. 2897 — To authorize the Mayor of the District of Columbia and the Director of the National Park Service to enter into cooperative management agreements for the operation, maintenance, and management of units of the National Park System in the District of Columbia, and for other purposes. (Rep. Norton, R-DC)

CONTACT: Noelani Bonifacio, 202-226-9719

FLOOR SCHEDULE:

Expected to be considered January 16, 2017, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

<u>H.R. 2897</u> would authorize the District of Columbia's mayor and the National Park Service's director to enter into cooperative management agreements for the operation, management, and improvement of National Park Service (NPS) units located within D.C.

COST:

The Congressional Budget Office (CBO) <u>estimates</u> that enacting H.R. 2897 would have no significant impact on the federal budget.

CONSERVATIVE CONCERNS:

- Expand the Size and Scope of the Federal Government? No.
- Encroach into State or Local Authority? No.
- Delegate Any Legislative Authority to the Executive Branch? No.
- Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits? No.

DETAILED SUMMARY AND ANALYSIS:

H.R. 2897 would authorize the District of Columbia's mayor and the National Park Service's director to enter into cooperative management agreements under <u>54 U.S.C. 101703</u> for the operation, management, and improvement of National Park Service (NPS) units located within D.C. The agreements may include terms and conditions related to the allocation for responsibility, and payment between D.C. and NPS.

Under current law, NPS may enter into cooperative management agreements with cities and states. This bill would clarify that NPS may also enter into similar agreements with D.C.

The House Report (H.R. 115-436) accompanying H.R. 2897 can be found here (part 1) and here (part 2).

COMMITTEE ACTION:

H.R. 2897 was introduced on June 13, 2017. The bill was referred to the House Committees on Natural Resources and Oversight and Government Reform. The Committee on Oversight and Government Reform marked up and reported the bill on July 19, 2017, by voice vote. The Committee on Natural Resources marked up and reported the bill on October 4, 2017, by voice vote.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Congress has the power to enact this legislation pursuant to the following: clause 2 of section 3 of article IV of the Constitution and clause 17 of section 8 of article I of the Constitution."

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